



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Gary L. Johnson)
For: Spill Shield For Refuse) Art Unit: 3652
Collection Vehicle)
Serial No.: 10/768,196) Examiner: Charles A. Fox
Filed: January 30, 2004) Conf. No.: 6040

November 14, 2005

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

Enclosed is a response to the Notice of Non-Compliant Amendment which was mailed on November 9, 2005, in connection with the application identified above, along with a postcard receipt addressed to Applicant's attorney. This response has been labeled SUPPLEMENTAL RESPONSE TO OFFICE ACTION, as it relates to a Response filed on August 3, 2005 to an Office Action mailed on May 6, 2005. Please file this SUPPLEMENTAL RESPONSE, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

David J. Hill
Attorney for Applicant
(Registration No. 28427)
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 14, 2005.

Donna Guy
Date of Signature: November 14, 2005

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment that was mailed on November 9, 2005, which raised objections to the Response filed on August 3, 2005 to the Office Action mailed on May 6, 2005. The Response filed on August 3, 2005 has been amended to include a complete listing of all claims originally filed with the application.

Claims 8-20 are pending in the application, and have all been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention. Claims 8-10, 12 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,146,079 of Ghibaudo in view of U.S. Patent No. 5,807,043 of Blank and U.S. Patent No. 3,604,521 of Collins. Claims 15-18 and 20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,146,079 of Ghibaudo in view of U.S. Patent No. 5,807,043 of Blank, U.S. Patent No. 3,604,521 of Collins

and U.S. Patent No. 4,611,848 of Romano. Objection has been raised to claims 11, 13 and 19 as being dependent on a rejected base claim, but these claims are indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has now amended claims 8-13 and 15-20 to particularly point out and distinctly claim the subject matter which he regards as his invention. In addition, Applicant has cancelled claim 14 and added new claims 21-27. Applicant offers the following remarks to address the rejections of his claims and respectfully requests reconsideration of the application in view of such remarks. Since no claims are being added to the application beyond the number previously paid for, the filing of this Response does not require the payment of a fee for additional claims.